PRAJAKTA SAGAR VARTAK Digitally signed by PRAJAKTA SAGAR VARTAK Date: 2026.10.13 18:24:58 +0530

Prajakta Vartak

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 12918 OF 2025
IN
WRIT PETITION (ST.) NO. 32423 OF 2023

Smt. Suhasini Raghunath Shinde & Anr. ...Applicants/Petitioners
Vs
The State of Maharashtra & Ors. ...Respondents

Mr. Vinayak Kumbhar with Mr. Rajendra Khaire i/b. Ms. Ashwini Bandiwadekar for the Petitioners.
Smt. Savita Prabhune, AGP for State/Respondent Nos.1 & 2.

CORAM: G. S. KULKARNI &
Dr. NEELA GOKHALE, JJ.
DATE: 12 OCTOBER 2026.

P.C.

1. This is an application seeking restoration of the writ petition by setting aside the order dated 07 May 2024 passed by the Registrar (Judicial-I) in Writ Petition (Stamp) No. 30654 of 2023. There is a delay of 464 days in filing the present application and the applicants seek condonation of the said delay as well. Prayer clause (b) of the present application reads thus:-

> "b] The order dated 7.5.2024 passed by the Ld. Registrar (Judl-I] in Writ Petition [St.] No. 30654 of 2023 may kindly be set aside and the registration of the said Writ Petition may kindly be restored."

2. Heard Mr. Kumbhar, learned counsel appearing for the applicants, and Ms. Prabhune, learned AGP appearing for respondent nos.1 and 2.

3. Mr. Kumbhar, learned counsel for the applicants, submits that when the writ petition was listed before the Registrar (Judicial-I) on 07 May 2024 for removal of the office objections, the counsel representing the applicants failed to notice the listing. By order dated 07 May 2024, the Registrar (Judicial-I) granted two weeks' time to remove the office objections, with a direction that failure to

remove the office objections within the stipulated period would result in automatic dismissal of the writ petition without further reference to the Registrar's Court. It appears that neither the applicants nor their counsel took steps to remove the office objections and, consequently, the writ petition came to be dismissed.

4. Mr. Kumbhar submits that the applicants would suffer considerable prejudice if the writ petition is not restored to its original file and heard on merits. He further submits that the failure to remove the office objections was neither deliberate nor intentional. In these circumstances, he prays that the writ petition be restored to its original file and the present application be allowed.

5. On hearing learned counsel for the parties and perusing the record, we find that the delay has not been satisfactorily/appropriately explained. There is a delay of 464 days in filing the present application. However, dismissal of the writ petition without adjudication on merits is likely to cause prejudice to the applicants. On this ground alone, we deem it appropriate to restore the writ petition by setting aside the order dated 07 May 2024 passed by the Registrar (Judicial-I) and to condone the delay of 464 days in filing even the present application. However, considering that the delay is quite lengthy and has not been appropriately explained, we allow the application subject to the applicants paying costs of Rs.1,000/-. The said amount shall be paid within one week from today to the Member Secretary, Maharashtra Legal Services Authority, High Court, Mumbai.

6. The application is allowed and disposed of accordingly.

(Dr. NEELA GOKHALE, J.) (G. S. KULKARNI, J.)